

The 2012 State Liability Systems Ranking Study was conducted for the U.S. Chamber Institute for Legal Reform by Harris Interactive. The final results are based on interviews with a nationally representative sample of 1,125 in-house general counsel, senior litigators or attorneys, and other senior executives who are knowledgeable about litigation matters at public and private companies with annual revenues of at least \$100 million. Phone interviews averaging 19 minutes in length were conducted with a total of 551 respondents and took place between March 19, 2012 and June 25, 2012. Online interviews using the same questionnaire and averaging 16 minutes in length were conducted with a total of 574 respondents that took place between March 13, 2012 and June 25, 2012. The previous research was conducted from October to January in the years 2002–2010.

Sample Design

For the telephone sample, a comprehensive list of general counsel at companies with annual revenues of at least \$100 million was compiled using idExec, Dun & Bradstreet (Hoovers), AMI, and ALM. An alert letter was sent to the general counsel at each company. This letter provided general information about the study, notified them of the option to take the survey online or by phone, and told them that an interviewer from Harris Interactive would be contacting them to request their participation if they chose not to take

the survey online. The letter included an 800 number for respondents to call and schedule a survey appointment, and it also alerted the general counsel to a \$100 charitable incentive or check in exchange for qualified participation in the study.

For the online sample, a representative sample of general counsel and other senior attorneys was drawn from Hoovers ConnectMail, the Association of Corporate Counsel, and LinkedIn. Respondents from Hoovers ConnectMail

Table 45

Montana

2012 Overall Ranking: 45

Ratings on Key Elements of State Liability Systems (n=51)

		"A"	"B"	"C"	"D"	"F"	Mean Grade	Ranking Within Element
Having and Enforcing Meaningful Venue Requirements	%	9	39	17	11	7	3.4	42
Overall Treatment of Tort and Contract Litigation	%	7	31	26	11	20	2.9	46
Treatment of Class Action Suits and Mass Consolidation Suits	%	13	22	20	6	9	3.3	32
Damages	%	13	20	28	15	17	3.0	42
Timeliness of Summary Judgment or Dismissal	%	9	37	20	15	13	3.2	40
Discovery	%	11	20	35	13	15	3.0	50
Scientific and Technical Evidence	%	9	19	33	20	4	3.1	46
Judges' Impartiality	%	19	17	31	13	15	3.1	46
Judges' Competence	%	15	26	28	17	9	3.2	46
Juries' Fairness	%	13	26	24	9	17	3.1	44
Overall State Grade	%	6	33	24	22	13	3.0	46